

## **REMARKS**

Claims 1-36 were presented for examination in the present application. Applicant respectfully reserves the right to file a divisional application directed to any non-elected claims.

The Office Action requires restriction to one of the following inventions: the system for increasing fuel storage volume (claims 1-29 ("group I")); or the method for increasing fuel storage volume (claims 30-36 ("group II")). Applicant elects, with traverse, the invention of group I.

Citing MPEP § 806.05(e), the Office Action alleges that the inventions of group I and group II are distinct from one another, particularly because the process of group II can be performed by a system with at least two standard external fuel tank carrier pylons and no external fuel tank carrier pylon. The Office Action further asserts that restriction is proper for the foregoing reason, and also for the reason that there would exist a serious search and examination burden if restriction were not required. Even assuming, *arguendo*, that the Office Action's assertion that the process of group II can be performed by a system with at least two standard external fuel tank carrier pylons and no external fuel tank carrier pylon is correct, Applicant respectfully submits that sufficient grounds to traverse the restriction requirement exist.

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits. See MPEP § 803. This is so even though it includes claims to independent or distinct inventions. See *Id.*

In forming the restriction/election requirement, the Office Action admits that the inventions of group I and II are in the exact same class and subclass, respectively, 244 and 135R. Thus, Applicant respectfully submits that searching elected Group I is likely to result in finding art pertinent to non-elected Group II. Accordingly, Applicant submits that searching and examining the subject matter of non-elected Group II, along with elected Group I, does not place a serious burden on the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the Requirement for Restriction with regard to Group II (claims 30-36).

In view of the above, it is respectfully submitted that the present application is in condition for examination. Applicant respectfully requests favorable consideration and passage of this application to allowance.

If for any reason the Examiner feels that consultation with <<Applicant's/ Applicants'>> attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

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Date

Respectfully submitted,



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